

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter which Applicant regards as the invention.

The Examiner has indicated that claims 29–32 and 40–43 are still considered allowable. Claim 19 is objected to as being depending upon a rejected base claim.

Claims 33–34 and 36–37 have been amended.

Claims 1–13 are rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1–13 respectively, of U.S. Patent No. 6,662,101. Claims 14–17 are rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14–17 respectively, of U.S. Patent No. 6,662,101.

The Office Action states that the terminal disclaimer for claims 1–17 filed on December 15, 2005 is not accepted because the attorney who signed the terminal disclaimer is not an attorney of record. During a phone call on March 22, 2006, Examiner stated that although the attorney who signed the terminal disclaimer is listed with Customer Number 0116, the attorney is not listed with Power of Attorney document filed with the application. Applicant respectfully submits a terminal disclaimer signed by an attorney who is listed on the Power of Attorney document filed with the application. Therefore, claims 1–17 are in condition for allowance.

Claims 18, 20–28, 33–39, and 44 stand rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al. (U.S. Patent No. 6,249,740). Claims 33–34 and 36–37 have been amended. For at least the following reasons, the Examiner's rejection is respectfully traversed.

Ito does not disclose or teach *both* “a transmitting side having a first digital map” *and* “a receiving side having a second digital map” as recited in claim 18. Similar language is found in claims 21, 35, 38, 39, and 44 and amended claims 33–34.

In Ito, the navigation base apparatus 150 (transmitting side) with map data transmits map information to the vehicle navigation apparatus 100 (receiving side) that does *not* have its own map data (col. 8, lines 17–35). Ito clearly states there is no need for the vehicle navigation apparatus 100 to store map data or other data, because the navigation base apparatus 150 carries out the route search and transmits only the information necessary for route guidance (col. 8, lines 36–50). Thus, Ito uses the *same map* for both the navigation base apparatus 150 and the vehicle navigation apparatus 100. Therefore, Ito fails to teach having two maps, a digital map on the transmitting side and a digital map on the receiving side as in the claimed invention.

Further with regards to claim 18, Ito does not disclose or teach at the receiving side of “calculating a path connecting said selected nodes on the second digital map based on said coordinate information” as recited in claim 18. Similar language is found in claims 21, 39, and 44.

The Office Action states that “the vehicle apparatus utilizes the transferred data to plot the geographical coordinates and connect a path between the coordinates of the road data for display” (Office Action, 02-08-2006, page 4).

As mentioned previously, Ito clearly states there is no need for the vehicle navigation apparatus 100 to store map data or other data, because the navigation base apparatus 150 carries out the route search and transmits only the data necessary for route guidance (col. 8, lines 36–50). The route/guidance data *transmitted* to the Ito vehicle navigation apparatus 100 includes the data of the outline map of the searched route, the road data, the intersection data and the area guidance data (col. 14, line 61, to col. 15, line 38). Any map matching conducted by the Ito vehicle navigation apparatus 100 only matches a position of the vehicle to a position on the transmitted map data (col. 17, lines 7–10).

Since only the Ito navigation base apparatus 150 carries out the route search, the Ito vehicle navigation apparatus 100 fails to disclose or teach *calculating* any route search or path

connecting nodes on a map. Also, since the Ito vehicle navigation apparatus does not have its own map data, the vehicle apparatus only indicates the searched route by displaying the map data *transmitted* by the navigation base apparatus. Therefore, Ito does not disclose or teach on the receiving side of calculating a path connecting nodes on a map of the receiving side as in the claimed invention.

Further with regards to claim 18, Ito does not disclose or teach at the receiving side of “identifying position of said target road section on the second digital map based on the calculated path” as recited in claim 18. Similar language is found in claims 21, 35, 39, and 44.

The Office Action states that “the vehicle apparatus utilizes the transferred data to plot the geographical coordinates and connect a path...and the path is identified on a simplified map, among other options” (Office Action, 02-08-2006, page 4).

As mentioned previously, Ito clearly states there is no need for the vehicle navigation apparatus 100 to store map data or other data, because the navigation base apparatus 150 carries out the route search and transmits only the data necessary for route guidance (col. 8, lines 36–50). The route/guidance data transmitted to the Ito vehicle navigation apparatus 100 includes the data of the outline map of the searched route, the road data, the intersection data and the area guidance data (col. 14, line 61, to col. 15, line 38). Also, any map matching conducted by the Ito vehicle navigation apparatus 100 only matches a position of the vehicle to a position on the transmitted map data (col. 17, lines 7–10).

Although the Ito vehicle navigation apparatus 100 matches *a position of the vehicle* to a position on the transmitted map data, Ito fails to teach that the vehicle navigation apparatus *identifies* the position of *a target road section* on a map. Since only the Ito navigation base apparatus 150 carries out the route search and then transmits all the necessary route/guidance map data to the Ito vehicle navigation apparatus 100, the vehicle navigation apparatus only indicates the searched route by displaying the map data *transmitted* by the navigation base

apparatus. Therefore, the Ito vehicle navigation apparatus does not teach on the receiving side of identifying the position of a target section on a map of the receiving side. Thus, Ito does not disclose or teach all the elements of the claimed invention.

With regards to claims 36, Ito does not disclose or teach “wherein said position identification means identifies the position of the target road section on the digital map based on the coordinate information of at least one of the nodes included in the position information.” as recited in claim 36. Similar language is found in claims 37.

As mentioned previously, Ito clearly states there is no need for the vehicle navigation apparatus 100 to store map data or other data, because the navigation base apparatus 150 carries out the route search and transmits only the data necessary for route guidance (col. 8, lines 36–50). The route/guidance data transmitted to the Ito vehicle navigation apparatus 100 includes the data of the outline map of the searched route, the road data, the intersection data and the area guidance data (col. 14, line 61, to col. 15, line 38). Also, any map matching conducted by the Ito vehicle navigation apparatus 100 only matches a position of the vehicle to a position on the transmitted map data (col. 17, lines 7–10).

Although the Ito vehicle navigation apparatus 100 matches a position of the vehicle to a position on the transmitted map data, Ito fails to teach that the vehicle navigation apparatus identifies the position of a target road section on a map. Since only the Ito navigation base apparatus 150 carries out the route search and then transmits all the necessary route/guidance map data to the Ito vehicle navigation apparatus 100, the vehicle navigation apparatus only indicates the searched route by displaying the map data transmitted by the navigation base apparatus. Therefore, the Ito vehicle navigation apparatus fails to identifying the position of a target section on a map of the vehicle navigation apparatus. Thus, Ito does not disclose or teach all the elements of the claimed invention.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 34825US1.

Respectfully submitted,

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